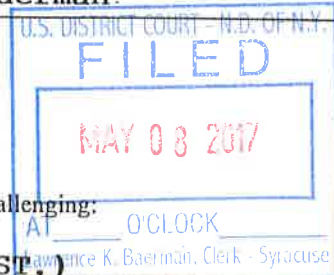


**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

9:17-w-493

United States District Court		District: <b>NORTHERN</b>
Name (under which you were convicted): <b>Amit Patel</b>		Docket or Case No.: <b>01483/2013</b>
Place of Confinement: <b>GREENE CORRECTIONAL FACILITY</b>	Prisoner No.: <b>14R3022</b>	
Petitioner (include the name under which you were convicted): <b>Amit Patel</b>		Respondent (authorized person having custody of petitioner): <b>Brandon J. Smith</b>
The Attorney General of the State of: <b>New York - Eric T. Schneiderman</b>		

**PETITION**



- (a) Name and location of court that entered the judgment of conviction you are challenging:  
NEW YORK COUNTY SUPREME COURT (1ST. JUD. DIST.)  
Criminal Term  
111 Centre Street, New York City, New York 10013

(b) Criminal docket or case number (if you know): 01483/2013
- (a) Date of the judgment of conviction (if you know): 1/21/16

(b) Date of sentencing: 1/21/16
- Length of sentence: Leave to represent for the third time.
- In this case, were you convicted on more than one count or of more than one crime? ☐ Yes ☒ No
- Identify all crimes of which you were convicted and sentenced in this case: VTL 0511.3 03  
AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE
- (a) What was your plea? (Check one)

<input checked="" type="checkbox"/> (1) Not guilty	<input type="checkbox"/> (3) Nolo contendere (no contest)
<input type="checkbox"/> (2) Guilty	<input type="checkbox"/> (4) Insanity plea

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? VTL 0511.3 03

AGGRAVATED UNLICENSED OPERATION OF MOTOR VEHICLE - NOT GUILTY

\*SEE ATTACHED DOCUMENTS\*

(GRAND Jury/Pre-Trial/Trial)

(c) If you went to trial, what kind of trial did you have? (Check one)

☐ Jury ☒ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☒ No

8. Did you appeal from the judgment of conviction?

☒ Yes ☐ No

9. If you did appeal, answer the following:

(a) Name of court: APPELLATE DIVISION, FIRST DEPARTMENT

(b) Docket or case number (if you know): 01483/2013

(c) Result: Pending appeal, awaiting re-assignment of counsel

(d) Date of result (if you know): N/A

(e) Citation to the case (if you know): N/A

(f) Grounds raised: N/A

Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(Grand Jury/Pre-Trial/Trial)

(g) Did you seek further review by a higher state court? ☐ Yes ☒ No

If yes, answer the following:

(1) Name of court: N/A

(2) Docket or case number (if you know): N/A

(3) Result: N/A

(4) Date of result (if you know): N/A

(5) Citation to the case (if you know): N/A(6) Grounds raised: N/AHave not been afforded any such opportunity.\*SEE ATTACHED DOCUMENTS\*(Grand Jury/Pre-Trial/Trial)(h) Did you file a petition for certiorari in the United States Supreme Court? ☐ Yes ☒ No

If yes, answer the following:

(1) Docket or case number (if you know): N/A(2) Result: N/A(3) Date of result (if you know): N/A(4) Citation to the case (if you know): N/A

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: N/A(2) Docket or case number (if you know): N/A(3) Date of filing (if you know): N/A(4) Nature of the proceeding: N/A(5) Grounds raised: N/AHave not been afforded any such opportunity.\*SEE ATTACHED DOCUMENTS\*(Grand Jury/Pre-Trial/Trial)

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No(7) Result: N/A(8) Date of result (if you know): N/A

(b) If you filed any second petition, application, or motion, give the same information:

(1) Name of court: N/A

(2) Docket or case number (if you know): N/A

(3) Date of filing (if you know): N/A

(4) Nature of the proceeding: N/A

(5) Grounds raised: N/A

Have not been afforded any such opportunity.

**\*SEE ATTACHED DOCUMENTS\***

**(Grand Jury/Pre-Trial/Trial)**

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result: N/A

(8) Date of result (if you know): N/A

(c) If you filed any third petition, application, or motion, give the same information:

(1) Name of court: N/A

(2) Docket or case number (if you know): N/A

(3) Date of filing (if you know): N/A

(4) Nature of the proceeding: N/A

(5) Grounds raised: N/A

Have not been afforded any such opportunity.

**\*SEE ATTACHED DOCUMENTS\***

**(Grand Jury/Pre-Trial/Trial)**

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(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No(7) Result: N/A(8) Date of result (if you know): N/A

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☒ No(2) Second petition: ☐ Yes ☒ No(3) Third petition: ☐ Yes ☒ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

Pending appeal, awaiting for Appellate Court to re-assign  
competent counsel, under the Sixth Amendment threshold.

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: Unlawful searches and seizures

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Without probable cause, I was unlawfully stopped, then my right to be  
secure in my persons, papers, and effects was unreasonably violated,  
against unreasonable searches and seizures, unlawful arrest, illegal  
imprisonment, violating my Due Process, and Equal Protection of Law,  
under duress of: 18 U.S.C.A. § 241-Conspiracy against rights, 18 U.S.C.A.  
§ 242-Deprivation of rights under color of law, 18 U.S.C.A. § 245-  
Federally protected activities. \*SEE ATTACHED DOCUMENTS\*(b) If you did not exhaust your state remedies on Ground One, explain why: Have not been afforded  
any such opportunity. Pending appeal, awaiting for Appellate Court  
to re-assign competent counsel, under the Sixth Amendment threshold.\*SEE ATTACHED DOCUMENTS\*(Grand Jury/Pre-Trial/Trial)

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## (c) Direct Appeal of Ground One:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.**\*SEE ATTACHED DOCUMENTS\***

## (d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

N/A

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by Appellate Court, under the Sixth Amendment threshold.**\*SEE ATTACHED DOCUMENTS\***



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(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: Wrote correspondence to Gov. Cuomo,

I.G. Catherine Leahy Scott/Sherrill Spatz-Office of Court Admin.-  
Chief Admin. Judge Laurence K. Marks. \*SEE ATTACHED DOCUMENTS\*

GROUND TWO: Unlawfully forged presentment or indictment of  
Grand Jury.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Grand Jury was tainted, provided legally insufficient evidence, if  
a Grand Jury ever took place, I was never informed by defence  
counsel and/or prosecution. Without probable cause, any such  
proceeding was in violation of my Due Process, and Equal Protection  
of Law, under duress of deprivation of rights under Color of Law.

\*SEE ATTACHED DOCUMENTS\*

(Grand Jury/Pre-Trial/Trial)

(b) If you did not exhaust your state remedies on Ground Two, explain why: Have not been afforded  
any such opportunity. Pending appeal, awaiting for Appellate Court  
to re-assign competent counsel, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(c) Direct Appeal of Ground Two:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded  
any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

N/A

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.\*SEE ATTACHED DOCUMENTS\*(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: Wrote correspondences toA.G. Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill Spatz-Office of Court Admin.-Chief Admin. JudgeLawrence K. Marks\*SEE ATTACHED DOCUMENTS\*

GROUND THREE:

Double Jeopardy / Triple Jeopardy

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Was subjected for the same offence to be put in jeopardy more than  
two times.\*SEE ATTACHED DOCUMENTS\*(Grand Jury/Pre-Trial/Trial)



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(b) If you did not exhaust your state remedies on Ground Three, explain why: Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(c) Direct Appeal of Ground Three:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

**\*SEE ATTACHED DOCUMENTS\***

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

Name and location of the court where the motion or petition was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting for Appellate Court to re-assign  
competent counsel, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: Wrote correspondences to  
A.G. Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/  
Sherrill Spatz-Office of Court Admin... \*SEE ATTACHED DOCUMENTS\*

GROUND FOUR: Due Process was egregiously violated in a gross manner.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Without probable cause, I was unlawfully stopped, searched, arrested/  
seized, imprisoned illegally, where an excessive bail was set, then  
maliciously prosecuted (deprived of access to court/records), then  
thru cruel and unusual punishment repeatedly transported back and  
forth from prison to court (often times not seeing the judge), for  
two and a half (2 1/2)yrs., thru threat, duress, and coercion forced to  
plead guilty, when refused, forced to trial. \*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Four, explain why: Have not been afforded  
any such opportunity. Pending appeal, awaiting for Appellate Court  
to re-assign competent counsel, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(c) Direct Appeal of Ground Four:

(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☒ No

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded  
any such opportunity.

**\*SEE ATTACHED DOCUMENTS\***

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☒ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G. Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K. Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND FIVE

- Egregious violation of the right to speedy trial, by impartial jury.

(a) Supporting facts

Without probable cause, after deprivation of rights under the Color of Law, I was forced into trial, but not before the Grand Jury was tainted by legally insufficient evidence, causing the Grand Jury to be partial and biased, in furtherance of prejudicial criminal prosecution, violating my right to a speedy trial.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Five, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Five:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO
- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a port-conviction motion or petition for habeas corpus in a state trial court? NO
- (2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G. Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K. Marks.

\*SEE ATTACHED DOCUMENTS\*



GROUND SIX

- Egregious violation of procedural rights, due to ineffective assistance of counsel(s).

(a) Supporting facts

Defence counsel, Todd Greenberg, (who was paid to represent me on all open cases) never had any interest of mine. If, he ever did show (make an appearance), he failed to provide any diligent, competent representation under the Sixth Amendment threshold, whereby abandoning me, as he turned out to be the President of the Queens Assistant District Attorney's Association (District Attorney's right hand man, a.k.a - The D.A.), forcing me to seek replacement of counsel.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Six, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Six:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion

or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e)

Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND SEVEN

- Egregious violation of excessive bail.

(a) Supporting facts

Without probable cause and/or indication under meritorious grounds, which requires proof of the corpus delicti, any bail imposed/ set upon, is excessive.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Seven, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Seven:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*



GROUND EIGHT

- Egregious violation of imposing excessive fines.

(a) Supporting facts

Without probable cause, I was forced into trial thru a biased, and prejudicial criminal prosecution, then under the pretense of a conviction, where upon fines were imposed.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Eight, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Eight:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO

- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

- (2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G. Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K. Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND NINE

- Egregious violation of cruel and unusual punishment inflicted in the most grossest fashion.

(a) Supporting facts

Without probable cause and/or indication under meritorious grounds which requires proof of the corpus delicti, the entire criminal procedure, not excluding imprisonment, financial hardship/strain, which abridged my privileges and/or immunities as a Citizen of the United States, depriving me of life, liberty, and property, without due process of law, and denying me the equal protection of the law, after manufacturing and forging fraudulantly a criminal case, constitutes, I believe cruel and unusual punishment, in the most gross fashion.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Nine, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Nine:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

**\*SEE ATTACHED DOCUMENTS\***



GROUND TEN

- Blatently abridged my privileges and immunities as a citizen of the United States.

(a) Supporting facts

By violating my due process of the law, where I was imprisoned, and endured cruel and unusual punishment, constitutes abridging my privileges and immunities as a citizen of the United States.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Ten, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Ten:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO

- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

- (2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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(Rev. 06/13)

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

**\*SEE ATTACHED DOCUMENTS\***

GROUND ELEVEN

- Dereliction of Equal Protection of the Law, thru threat, duress, coercion, constituting egregious malfeasance.

(a) Supporting facts

Had I been afforded/provided even an ounce of Equal Protection of the Law, by any officer under the Color of Law, I would not undergo this suffering of cruel and unusual punishment, thru threat, duress, and coercion, constituting egregious malfeasance.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Eleven, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Eleven:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO
- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO
- (2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you

have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.

Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill

Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.

Marks.

**\*SEE ATTACHED DOCUMENTS\***

GROUND TWELVE

- Disqualification as officers who have engaged in insurrection or rebellion.

(a) Supporting facts

Had I been afforded/provided even an ounce of Equal Protection of the Law, by any officer under the Color of Law, I would not undergo this suffering of cruel and unusual punishment, thru threat, duress, and coercion, constituting egregious malfeasance.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Twelve, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Twelve:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO
- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO
- (2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A



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(Rev. 06/13)

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND THIRTEEN

- Misprison of felony.

(a) Supporting facts

All Public Officers of the Law, under the Color of Law, whom, involved, either by duty and/or participation, or servitude, in my matter(s) failed thru the act of egregious malfeasance, hence, acting in concert and then colluding and conspiring, facilitating in perjury and/or suborning perjury.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Thirteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Thirteen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

**\*SEE ATTACHED DOCUMENTS\***

GROUND FOURTEEN

- Grossly egregious malfeasance of conspiracy to commit offense or to defraud United States.

(a) Supporting facts

After falsely and unlawfully being arrested, and then illegally imprisoned, Public Officers under the Color of Law, together working in synchronized harmony, to not only cover-up their egregious acts of terror upon me by withholding/supressing, and even going to the lengths of doctoring/re-wording/tampering/manipulating court records/documents/transcripts.

\*SEE ATTACHED DOCUMENTS\*

- (b) If you did not exhaust your state remedies on Ground Fourteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Fourteen:

- (1) If you appealed from the judgement of conviction, did you raise this issue? NO
- (2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

- (1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO
- (2) If your answer to Question (d)(1) is "Yes," state:  
Type of motion or petition: N/A

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(Rev. 06/13)

Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

**\*SEE ATTACHED DOCUMENTS\***

GROUND FIFTEEN

- Kidnapping.

(a) Supporting facts

Thru deprivation of my rights under the Color of Law, in violation of my equal protection by my government (Local, State, etc...), where after being unlawfully seized, confined, inveigled, abducted, held for ransom (bail/bond), for a crime committed by the very government that is suppose to uphold and protect me from any tyrant.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Fifteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Fifteen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A



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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

**\*SEE ATTACHED DOCUMENTS\***

- (e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

**\*SEE ATTACHED DOCUMENTS\***

GROUND SIXTEEN

- Accessory after the fact.

(a) Supporting facts

After unlawfully arresting me and processing the paperwork/ reports, every officer involved under the Color of Law, worked together, knowing that an offense against the United States was/ is being committed, constituting accessory after the fact, to arbitrarily and capriciously prosecute under cruel and unusual punishment.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Sixteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Sixteen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND SEVENTEEN

- Destruction, alteration, or falsification of records.

(a) Supporting facts

All officers involved, knowingly altered, destroyed, mutilated, concealed, covered-up, falsified, and/or made false entries in records, documents, and/or tangible objects with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of their department or agency of the United States, in relation to and/or contemplation of such matters pertaining to my case filed.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Seventeen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Seventeen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND EIGHTEEN

- Violating my right to exercise freedom of speech.

(a) Supporting facts

I was denied access to the Courts, when I tried to raise any defence expressed verbally/orally and/or in writing thru motions/affidavits, when it is my right to know what it is my government is prosecuting me for.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Eighteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Eighteen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A



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Name and location of the court where the motion or petition was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND NINETEEN

- Grossly egregious malfeasance of public money, property or records.

(a) Supporting facts

After being unlawfully arrested, my government, under false pretense, using/depleting public money (Courts economy, tax payer dollars), then conveying records to illfully gain a conviction, which in turn for a return on Federal funding for incarceration and/or rehabilitation.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Nineteen, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Nineteen:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

N/A

Docket or case number (if you know):

N/A

Date of the court's decision:

N/A

Result (attach a copy of the court's opinion or order, if available):

N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

GROUND TWENTY

- Hobbs Act (R.I.C.O.), extortion by officers or employees of the United States.

(a) Supporting facts

After being Kidnapped (unlawfully arrested), a Ransom (bail/bond) was imposed, where thru threat, duress, and coercion of cruel and unusual punishment of unwarranted harassment via unlawful discrimination, I was extorted by the enterprise (i.e. - Officers of the Court, my government, etc...) at the behest of my Life, Liberty, and Property/Pursuit of Happiness, using my corpus as a tangible commodity, in exchange for monetary gains.

\*SEE ATTACHED DOCUMENTS\*

(b) If you did not exhaust your state remedies on Ground Twenty, explain why:

Have not been afforded any such opportunity. Pending appeal, awaiting for Appellate Court to re-assign competent counsel, under the Sixth Amendment threshold.

(c) Direct Appeal of Ground Twenty:

(1) If you appealed from the judgement of conviction, did you raise this issue? NO

(2) If you did not raise this issue in your direct appeal, explain why: Have not been afforded any such opportunity.

\*SEE ATTACHED DOCUMENTS\*

(d) Post-Conviction Proceedings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? NO

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: N/A

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Name and location of the court where the motion or petition was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(3) Did you receive a hearing on your motion or petition? ☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition? ☐ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? ☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed: N/A

Docket or case number (if you know): N/A

Date of the court's decision: N/A

Result (attach a copy of the court's opinion or order, if available): N/A

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Pending appeal, awaiting re-assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

\*SEE ATTACHED DOCUMENTS\*

(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: Wrote correspondences to A.G.  
Schneiderman, Gov. Cuomo, I.G. Catherine Leahy Scott/Sherrill  
Spatz-Office of Court Admin.-Chief Admin. Judge Lawrence K.  
Marks.

\*SEE ATTACHED DOCUMENTS\*

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13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☒ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

**Have not been afforded any such opportunity.**

**\*SEE ATTACHED DOCUMENTS\***

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

**All grounds. Have not been afforded any such opportunity.**  
**Pending appeal, awaiting for Appellate Court to assign**  
**competent counsel, under Sixth Amend. \*SEE ATTACHED DOCS\***

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

**N/A**

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☒ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

**N/A**



16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: Gregory Ring/Todd Greenberg-NEVER SHOWED-UP

118-21 Queens Blvd., Suite - 306, Forest Hills, N.Y. 11375

(b) At arraignment and plea: Gregory Ring/Todd Greenberg-NEVER SHOWED-UP

118-21 Queens Blvd., Suite - 306, Forest Hills, N.Y. 11375

(c) At trial: Alex Spiro

767 Third Avenue, 26th Floor, New York, N.Y. 10017

(d) At sentencing: Alex Spiro

767 Third Avenue, 26th Floor, New York, N.Y. 10017

(e) On appeal: Awaiting assignment of competent counsel by  
Appellate Court, under the Sixth Amendment threshold.

(f) In any post-conviction proceeding: N/A

(g) On appeal from any ruling against you in a post-conviction proceeding: N/A

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☒ Yes ☐ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

SUPREME COURT OF THE STATE OF NEW YORK - QUEENS COUNTY

125-01 Queens Blvd., Kew Gardens, N.Y. 11415

(b) Give the date the other sentence was imposed: 1) 10/24/2014 2) 4/20/2015

(c) Give the length of the other sentence: 1) 2-6yrs. 2) 2 1/3-7yrs.Consec.

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☒ Yes ☐ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.\*

Newly discovered evidence.

**\*SEE ATTACHED DOCUMENTS\***

\* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
  - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
  - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
  - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
  - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

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- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief:


Immediate injunction, where  
I am in fear for my life, request protection, assignment of counsel,  
award Writ and/or issue order to show cause \*SEE Attached DOCUMENTS\*  
or any other relief to which petitioner may be entitled.

**(NEXT PAGE)**

\_\_\_\_\_  
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 4/27/17 (month, date, year).

Executed (signed) on 4/27/17 (date).

  
\_\_\_\_\_  
Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Cont'd. . . .

Therefore, petitioner asks that the Court grant the following relief:

- Immediate injunction, (WHERE I AM IN FEAR OF MY LIFE) to stay proceedings in a State Court(s), expressly where it is necessary in aid to protect and/or effectuate this Honorable Courts inherent jurisdiction, and judgement. Also to shield from the rampant and over-raught corrupt powers of my government, which has traumatized my state of being via duress of cruel and unusual punishment, where upon instilling reluctance.
- Hence, requesting protection from the over reaching arms of the militia enterprise (a.k.a. - Public Officers under the Color of Law; Officers of the Court; My Government), conveyed/demonstrated/ articulated thru all the grounds raised, as well as the supporting evidence enclosed.
- WHEREFORE, I humbly request a district court of three judges, so long as the Honorable Court deems just and equitable, especially considering the Complex Multi-District Litigation which is being ensued due to the egregious violation of the Constitution, in turn, my rights/privileges/immunities as a United States Citizen.
- Due to the infringed impedance which abridged my Life, Liberty, Property at the behest of the blatant disregard of the very Oath taken to uphold the Laws of the Land (a.k.a. - The Constitution of the United States of America), wherein violating all my fundamental rights, forcing my advocates (a.k.a. - My Family), and me to deplete all of our finances in pursuit of my rigorous defence, wherefore, I am now put in a predicament, finding myself

Cont'd. . . .

(in shame nonetheless) extending my hands enjoined in prayer, hoping that upon my humble request, a counsel who is loyal, ethical, diligent, professional, and of course competent under the Sixth Amendment threshold be appointed for my legal defence by this Honorable Court, which it deems just and equitable.

- WHEREFORE, the power to grant a writ of habeas corpus and exercise its discretion in furtherance of justice, is in the hands of the district courts, any justice thereof, wherein such an application is filed within their respective jurisdiction whom obliges to entertain such a writ made by me being in custody as a U.S. Citizen and domiciled therein for an act done or omitted under all alleged color: right, title, authority, privilege, protection, where the validity and effect of which depend upon the law of our nation, constituting violation of the Constitution or laws or treaties of the United States, and where the judgement and sentence of a State court of a State which contains two or more Federal judicial districts, a humble request to award said writ is being proposed, and in conjunction to stay all mandated stipulations set forth upon my corpus lacking any merit, rebuttaled on the submission of prima facie evidence, which is overwhelming and abundance to fathom. I request this Honorable Court to take heed to 28 U.S.C.A. § 2243 in granting any determination proposed and/or deems just and equitable.

- FURTHERMORE, I am making a plea for a full and thorough/detailed investigation pertaining to each and every single arrest/encounter I faced with Law Enforcement and/or Criminal Justice Agency(ies) and/or my Government, whereby a Criminal History Record Information

Cont'd. . . .

also known as "RAP SHEET" has promulgated into evolution, whereby lacking Checks and Balance / Accountability, essentially demonizing with my family and society, my character/reputation/integrity/morals/values/dignity/self-worth, where upon tarnishing the prime years to blossom/grow/develop/progress/sprout, instead where I was faced with adversarial challenges/hurdles/obstacles at the behest of my Government, where I was deprived of my fundamental rights of qualified immunities/privileges of Life, Liberty, or Property/Pursuit of Happiness, which was stripped from the spectrum of Lifes stages, neglected by Due Process of Law further abridging the Equal Protection of the Laws.

- In retrospect, due to the fear instilled upon and within, I humbly urge this Honorable Court to also take heed to the fact that I do not feel comfortable at all where this writ is furnished upon said respondents (i.e. - New York State Attorney General: Eric T. Schneiderman / Superintendent of Greene Correctional Facility: Brandon J. Smith / etc. . . ), whereby being in their custody (grip), as I near my Merit Release Board (documents enclosed) in fear of reprisal/retaliation/retribution at the behest of my welfare, and suggest possibly a Special Prosecutor from the U.S. Attorney's Office to oversee and/or handle all matters pertinent to this writ's investigation request, which it deems just and equitable.
- Additional relief sought to be afforded the opportunity to expand the record, whereby, upon further investigation, if and when any new discovery/evidence is acquired/retained and/or descended upon, whereby, I am humbly requesting this Honorable Court to issue a subpoena duces tecum to compel/mandate from every entity involved,

Cont'd. . . .

every transmission of every log for every entry made electronically, of every hard copy of every original document/records/discoveries/evidence/exhibits ever created, reflecting by whom, from what agency, what date, what time, what computer terminal used (i.e. - IP address), what username / login credentials to make such entry(ies), and/or create such records/information. Additionally, records/documents/memorandums/communications which might have been manually created/constructed/promulgated, and/or any interdepartmental forms used for such purposes of making records, including every email, telephone/text, letter correspondence, officers memobook/pad, arrest reports (transmissions of their time of logged entries), command book log entries, along with any and all authorizations/approvals of every commanding officer(s) with their respective memobook/pad entries, DD5's (Datasheets), whereby any other record(s) this Honorable Court deems just and equitable, which is pertaining to me, and/or of me, be granted and furnished so that a meaningful investigative defence shall commence, at the discretion of the Honorable Court, as my life has been shattered and in shambles, wherefore, I seek thy guided intervention.

- Furthermore, I seek relief in acquiring/ascertaining from the County Clerks Office, every certified document(s)/record(s) (i.e. - Certificate of Disposition, Certified copy of Indictment, SPRINT Report(s), Certificate of Conviction, Certificate of Trial Judge, etc. . .), which is pertaining to me and of me.
- Additional relief sought by the Honorable Court, is a thorough inquirey into the doctoring/re-wording/manipulating/tampering/



Cont'd. . . .

altering/editing/redacting of stenographic transcriptions of the original shorthand notes of stenographers, wherein transcripts were purchased from, instead a version other than what had transpired within the courtroom was reproduced by the Court's (implied) Reporter(s), whom was obviously sanctioned by another's agenda, therefore warring against The Constitution of the United States, in full dereliction of the Courts decorum and the Rules of Professional Conduct, further violating the ethical responsibilities to uphold the very Oath as an Officer of the Court, in furtherance of prejudicial injustice cast forth upon my rights to a fair and speedy trial to suppress impartiality of bias, prejudice, slander, egregiously violated Due Process and Equal Protection of the Law, which clearly demonstrates gross negligence, obstruction of justice, whereby, tampering with court records.

WHEREFORE, thru the guidance entrusted upon the Honorable Court, remedies thus far which have not been conveyed and/or articulated are sought thru the prestigious integrity deemed just and equitable, effectuated thru judicial action by execution of the Canon Laws.

"IN GOD WE TRUST"